

# **EXHIBIT 230**

Curling, Donna v. Raffensperger, Brad

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1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE NORTH DISTRICT OF GEORGIA  
3                   ATLANTA DIVISION  
4

5           DONNA CURLING, ET AL.,

6                   PLAINTIFFS,

7           v.

8           BRAD RAFFENSPERGER, ET AL.,

9                   DEFENDANTS.  
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10  
11  
12  
13                   DEPOSITION OF DONNA PRICE  
14                   (TAKEN by DEFENDANTS)  
15           ATTENDING VIA ZOOM IN FULTON COUNTY, GEORGIA  
16                   MARCH 8, 2022  
17  
18  
19

20           REPORTED BY:           Meredith R. Schramek  
21                                   Registered Professional Reporter  
22                                   Notary Public  
23                                   (Via Zoom in Mecklenburg County,  
24                                   North Carolina)  
25

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1 A Yes.

2 Q And did you produce those communications in  
3 this case?

4 A I'm trying to decipher what you just said.  
5 Did I something about communications?

6 Q You mentioned that you had had e-mails with  
7 Ms. Greenhalgh. And I was asking if you produced those  
8 communications in this litigation.

9 A I did.

10 Q In discovery.

11 A Yes, I did.

12 Q Did you do anything else to prepare for this  
13 deposition?

14 A No.

15 Q Tell me a little bit about your education --  
16 your education background. Do you have high school,  
17 college, graduate school?

18 A I'm a college graduate.

19 Q And where did you attend school?

20 A San Diego State University.

21 Q What did you study?

22 A I studied painting and printmaking.

23 Q When did you earn your degrees at San Diego  
24 State?

25 A I'm sorry. When?

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1 Q I was asking when did you earn those degrees.

2 A I graduated in 1982.

3 Q Did you -- do you have any other -- any  
4 certifications, anything -- licenses, anything of that  
5 sort?

6 A No, I don't.

7 Q Do you have any education tied to elections  
8 or voting?

9 A Could I amend that? I think it was '84. I  
10 think it was '84 because I was young. Sorry.

11 Q That's no problem. And I was asking if you  
12 had any education in election law or voting?

13 A Self-educated and consulting, asking experts  
14 to give me, you know, answer my questions, then reading  
15 Georgia election law.

16 Q And have you ever worked at a polling place?

17 A I was a poll watcher for one election, yes.

18 Q And do you recall which election that was?

19 A No, I don't. It's been a while.

20 Q Okay. I was going to ask if maybe it had  
21 been a while and so -- to see if you had a general  
22 idea. Was -- when you were a poll worker, was that at  
23 a time when Georgia was using the DRE machines?

24 A I was a poll watcher. I wasn't --

25 Q A poll watcher. I apologize. Was that at a

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1 period of time when Georgia was using DRE machines?

2 A That's correct.

3 Q And who were you a poll watcher for?

4 A What party? What political party?

5 Q Correct.

6 THE WITNESS: Do I have to answer that?

7 MR. CROSS: Was it public? It is public  
8 record.

9 THE WITNESS: Democratic Party.

10 BY MR. RUSSO:

11 Q Okay. And did you receive any training for  
12 your poll watcher duties?

13 A I think we were sent -- we either downloaded  
14 from the Internet or were sent a packet with  
15 information about how to behave, you know, how to  
16 conduct ourselves, and what we could and could not do.

17 Q And did you receive any training around the  
18 voting equipment?

19 A Secretary Cox, Cathy Cox and Kathy Rogers  
20 held some information workshops that I attended. I  
21 can't remember if it was one or more. But I did go to  
22 those. And they explained how the machines worked and  
23 basically how elections were run on the DREs with  
24 slides and presentations.

25 Q And did the -- did any of that training

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1 include aspects around the hardware or programming of  
2 the machines?

3 A I don't think so.

4 Q Have you ever received training or education  
5 related to computer programming or security -- computer  
6 security?

7 A Like a formal program?

8 Q We can -- I mean, if it's a -- we can start  
9 with that. Is there a formal -- have you ever received  
10 any training or education, a formal program around  
11 computer security or computer programming?

12 A I received web development training, you  
13 know, writing code for web development. I worked at  
14 Emory University. So I took classes.

15 Q Tell me about that. What was that training?  
16 Was it a course or a program?

17 A I took courses in various softwares that are  
18 used for developing -- writing code for websites.

19 Q And when was that?

20 A I worked at Emory for 27 years. So it was  
21 during that time that I worked at Emory.

22 Q When did you stop working at Emory?

23 A May the -- May last year, 2021.

24 Q So when do you recall when the last course  
25 you took was?

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1           A       Maybe -- well, I couldn't speculate. It was  
2       in my early years. So probably within the first ten  
3       years of my employment at Emory.

4           Q       And you started in about 1995 or '4?

5           A       I think it was 1994.

6           Q       You founded Georgians for Verified Voting; is  
7       that correct?

8           A       That's correct.

9           Q       And why did you -- excuse me. Why did you  
10       found -- why did you start Georgians for Verified  
11       Voting?

12          A       I was concerned about the voting system, the  
13       security reliability and verifiability of the voting  
14       system in Georgia, the DRE voting system.

15          Q       And what do you mean by the "security,  
16       reliability, and verifiability of the DRE system"?

17          A       Well, the transparency because the -- what I  
18       had learned by 2003 was that the election system was  
19       all electronic. And so there was no  
20       software-independent way to determine the election  
21       results other than the software code.

22          Q       And so how did you learn about the system  
23       that raised these concerns?

24          A       I found experts to talk to and started  
25       funding studies.

1 Q And what were the security concerns  
2 specifically that you'd learned about?

3 A What I understood was that -- and this was  
4 from a National Institutes of Standards and Technology  
5 white paper is that voting systems needed a software  
6 independent mechanism for -- that would -- that could  
7 be used to compare against the election results from  
8 the software code.

9 Q Can you explain that further, the software  
10 independent mechanism? What is that?

11 A For example, if the software code is all on  
12 computer, it's electronic, then a software independent  
13 is a paper record.

14 Q So then -- all on a computer and has a paper  
15 record. It's -- it -- but it would not be a software  
16 independent mechanism.

17 Is that what I understand you saying?

18 (Reporter clarification.)

19 Q So if the -- you said it's -- the software  
20 independent system is one that is -- is not all  
21 electronic and has a paper component. And so I was  
22 simply asking if it -- the system has any paper  
23 component and then it's, according to you, a software  
24 independent mechanism; is that correct?

25 I'm just trying to understand what -- exactly



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1 Do you want to ask her that question?

2 MR. RUSSO: Yeah.

3 MR. CROSS: He's asking you what the purpose  
4 of the organization is.

5 BY MR. RUSSO:

6 Q I'll ask it again.

7 What -- what is the purpose of Elections  
8 Verification Network? And I'm sorry. I might be --

9 A Since I'm -- I'm not --

10 Q Can you hear me?

11 A Yes. Yes, I can.

12 Q Okay.

13 A Since I'm not a participant, I'm not on the  
14 board or I'm not aware of -- I think someone who's on  
15 the board would have to talk about what their purpose  
16 is. But my purpose as being a part of that, a  
17 participant in that, is just educational purpose and  
18 learning from experts, having contact, you know.

19 So this would be like a professional  
20 organization where you have contact with other people  
21 who are working on the same -- for the same goals as  
22 far as, you know, the secure, constitutional,  
23 democratic election system -- voting systems.

24 Q I want to turn to the claims in this case.  
25 Based on your personal knowledge and understanding,

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1 what are the claims that you are currently making  
2 against the defendants in this lawsuit?

3 MR. CROSS: Sorry. I didn't -- can you  
4 repeat that, Vincent? I'm sorry.

5 BY MR. RUSSO:

6 Q Sure. Based on your personal knowledge and  
7 understanding, what are the claims that you're  
8 currently making against the defendants in this case?

9 A I think my attorneys have delineated those  
10 claims, the legal claims.

11 Q Okay. And -- and I'm asking just what --  
12 what do you -- what do you understand the claims to be?

13 MR. CROSS: Objection. Calls for a legal  
14 conclusion.

15 BY MR. RUSSO:

16 Q In your -- in your personal opinion, what do  
17 you -- based on your personal knowledge, what are the  
18 claims in this case?

19 MR. CROSS: Same objection.

20 You can answer.

21 THE WITNESS: I'm seeking the -- my right to  
22 have -- my constitutional right to have -- to be able  
23 to vote on the voting system that's transparent, voter  
24 verifiable, secure, and accurate.

25

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1 BY MR. RUSSO:

2 Q And do you have any other -- or do you plan  
3 on making -- excuse me. Let me rephrase that.

4 Do you plan on making any other claims in  
5 this case?

6 MR. CROSS: Objection. Form. Instruct you  
7 not to answer that. That would necessarily call for  
8 verbal communications with your counsel.

9 BY MR. RUSSO:

10 Q And -- and I'm not asking whether you -- if  
11 you've spoken with your -- what you've spoken with your  
12 counsel about. I'm asking do you have any other claims  
13 that you plan on making, or do you have any claims that  
14 you haven't made?

15 A I can't speculate on that.

16 THE WITNESS: Okay. I wonder if we could  
17 take a break soon?

18 MR. RUSSO: That's fine.

19 THE VIDEOGRAPHER: We are off the record at  
20 11:16.

21 (Off the record 11:16 a.m. to 11:34 a.m.)

22 THE VIDEOGRAPHER: Back on the record at  
23 11:34.

24 (Exhibit 3 Marked for Identification.)  
25

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1 indicates that you voted in person on -- on a machine,  
2 voting machine, at least up to the time that they --  
3 through 2000 and -- what -- 4. And you have voted on a  
4 voting machine previously; is that correct?

5 A I voted on the DREs, yes.

6 Q Yeah. And you've never voted on a BMD;  
7 correct?

8 A That's correct.

9 Q It appears here that you voted on a DRE a  
10 number of times. Would you say you've voted several  
11 times on a DRE; right?

12 A DREs, yes.

13 Q Yes. And for the years where you -- you  
14 voted in person, do -- do you have any evidence that  
15 any of the votes you cast in any of the Georgia  
16 elections were not counted?

17 A That's indeterminate.

18 Q What do you mean by it's "indeterminate"?

19 A I don't have any evidence that they were  
20 counted correctly or weren't counted correctly since  
21 2002.

22 Q Okay. And looking at your report, it  
23 indicates that you have a ballot that was -- that was  
24 recorded. Is that fair to say?

25 A When I'm looking at this list, it looks like

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1 the ballots were accepted.

2 Q So you would agree that your ballots were  
3 accepted based on this report?

4 A According to that report.

5 Q But you have no -- you have no evidence that  
6 the ballots were not counted, that the votes were not  
7 accurately counted, I should say?

8 A I have no evidence that they were -- that my  
9 votes were or were not since the DRE -- the paperless  
10 DRE voting system was installed.

11 Q Okay. And looking at your report further  
12 down where it begins with the absentee, each time you  
13 voted absentee, it was by mail; correct?

14 A In the 2020 election, I dropped off my ballot  
15 at the -- at a drop box.

16 Q Okay. And -- and that -- that ballot was an  
17 absentee ballot, a hand-marked paper ballot that you  
18 received in the mail?

19 A Yes. And also for the -- the general  
20 election runoff. I dropped that ballot off at a  
21 ballot, you know, drop box.

22 Q Okay. And that was also the hand-marked  
23 paper ballot --

24 A That's correct.

25 Q -- that you had received in the mail?

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1 A That's correct.

2 Q And do you -- do you have any evidence that  
3 any of those absentee ballots weren't accurately  
4 counted?

5 A I have no evidence that they were or were not  
6 accurately counted.

7 Q You said you have no evidence that they were  
8 or were not? I'm sorry. My speaker cut out.

9 A Yes. I have no evidence they were or were  
10 not counted accurately.

11 Q And do you have any evidence that any of the  
12 votes you cast on the DRE machines were altered in any  
13 way?

14 A No, I do not.

15 Q What about for the absentee ballots that you  
16 voted, do you have any -- any evidence that -- that any  
17 of the votes you cast on an absentee ballot were  
18 altered in any way?

19 A I'm sorry. Could you repeat that?

20 Q For the absentee ballots that you voted, do  
21 you have any evidence that any of those ballots were  
22 ever altered in any way?

23 A No, I don't.

24 Q And you stated earlier that you have not  
25 voted on a BMD ballot, the new current system. When I

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1 refer to a BMD ballot, unless I say otherwise, I'm  
2 referring to Georgia's current voting system.

3 A I have not voted on a ballot marking device  
4 in Georgia's current voting system.

5 Q And do you have any plans to vote on one in  
6 the future?

7 A I do not.

8 Q Well, you plan to vote absentee by an  
9 absentee paper ballot in the future; is that right?

10 MR. CROSS: Vincent, can you ask it again?  
11 You kind of got hung up.

12 BY MR. RUSSO:

13 Q I'm sorry. I said so you said you plan to  
14 vote absentee paper ballots in the future by mail-in  
15 ballot?

16 A As long as the voting system is the current  
17 ballot marking device voting system, that's correct. I  
18 plan to vote absentee by paper ballot.

19 (Exhibit 4 Marked for Identification.)

20 BY MR. RUSSO:

21 Q Give me one second. I apologize here.  
22 Marked as Exhibit 4 -- and let me know when you have  
23 it.

24 MR. CROSS: We have it.  
25

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1 BY MR. RUSSO:

2 Q Okay. I've marked the Curling -- what we've  
3 been calling the Curling plaintiffs, such as Donna  
4 Curling, yourself, and Jeffrey Schoenberg. When I  
5 refer to the Curling plaintiffs, that's what I'm --  
6 that is who I'm referring to. Is that acceptable for  
7 you?

8 A Yes.

9 Q And so I'm showing you what's been marked as  
10 Exhibit 4, the third amended complaint of the Curling  
11 plaintiffs. Have you -- have you seen this document  
12 before?

13 A So that's 2019. To the best of my knowledge,  
14 yes.

15 Q And I want to turn to paragraph 16 of the  
16 complaint. It is on page 8.

17 A Yes.

18 Q And it says, "Plaintiff Donna Price as an  
19 elector of the state of Georgia and a resident of  
20 DeKalb County." Do you see that?

21 A Yes, I do.

22 Q And are you still a resident -- you're still  
23 a resident of DeKalb County; correct?

24 A Yes.

25 Q And if you go down to about the ninth line,



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1 it states, "Without the intervention of this Court,  
2 Price will be compelled to choose between relinquishing  
3 her right to vote and acquiescing to cast her vote  
4 under a system that violates her right to vote and to  
5 have her vote accurately counted." Do you see that?

6 A I see that.

7 Q And please explain how you'd be compelled to  
8 choose between relinquishing your right to vote and  
9 acquiescing to cast your vote under a system that  
10 violates your right to vote and to have your vote  
11 accurately counted unless the Court intervenes.

12 MR. CROSS: Objection. Call for a legal  
13 conclusion.

14 You can answer, Ms. Price.

15 THE WITNESS: I agree to what that says,  
16 that, if I have to vote on the current voting system,  
17 that it does relinquish my right to vote -- to cast a  
18 vote under a system that violates my right to vote and  
19 have my vote accurately counted.

20 BY MR. RUSSO:

21 Q And how is that?

22 MR. CROSS: Same objection.

23 THE WITNESS: If I vote on the electronic --  
24 the current BMD system, I'm not able to cast a  
25 voter-verified paper ballot. If I go onto the -- and

1       also, if I vote under the absentee ballot system, there  
2       are lots of barriers to being able to cast my vote.  
3       And then once I do, I'm not able to, for instance, feed  
4       that ballot -- see that that ballot is actually fed  
5       into the lockbox, the optical scanner and lockbox at  
6       the precinct, like my fellow voters can do if they're  
7       using the BMD.

8               And I know that the -- that Georgia does not  
9       currently have postelection risk limiting audits. And  
10      that is another component to being able to secure my  
11      right to vote.

12      BY MR. RUSSO:

13             Q       And you would agree with me, though, that  
14      your -- you'd still be able to cast a ballot -- does  
15      that -- on a BMD if you voted in person; correct?

16             A       I don't agree that I would not be able to  
17      cast a voter-verified ballot.

18             Q       But would you -- my question is you would be  
19      able to cast a ballot; correct?

20             A       Well, a voter-verified ballot is an essential  
21      record of my selections in the election.

22             Q       And I -- I understand that you are saying you  
23      want to be able to cast a voter-verified paper ballot.  
24      And based on your understanding of a voter -- what that  
25      means, I'm simply asking: There's no -- if you went to

1 go vote in the next election in person, there's no --  
2 there's no other reason you'd be denied the opportunity  
3 to vote?

4 MR. CROSS: Objection. Calls for  
5 speculation. Vague.

6 THE WITNESS: My understanding, if I vote on  
7 a ballot marking device, is that the votes are  
8 encompassed in a QR code; and I cannot validate that  
9 those are the ballots -- the selections that I made.  
10 The QR code is what's read by the scanner.

11 So I would not be able to vote in a  
12 constitutional manner just only considering that first  
13 part of the process, which is marking the ballot on the  
14 ballot marking device and printing it out.

15 BY MR. RUSSO:

16 Q And I -- and I'm just trying to understand  
17 how you would not be able to use the device. I  
18 understand that you have a difference in -- in thought  
19 of what is a voter-verified paper ballot, but what  
20 other burdens are there on your right to vote?

21 A The primary record of my vote is a  
22 voter-verified paper ballot. Without that, there's no  
23 primary record. There's no record that I have verified  
24 to say that that's the votes -- those are the  
25 selections that I made for candidates and issues.

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1 Q Well, let me ask this: Are there any other  
2 burdens on your right to vote in person -- or on voting  
3 in person, I should say -- and I -- excuse me. Any  
4 other burdens on voting in person that -- that you --  
5 you believe you'd experience if you voted in person?

6 A I believe I would just be going through the  
7 motions of an action that simulates voting. But  
8 without a voter-verified paper ballot, I wouldn't be --  
9 I wouldn't be voting. I'd be giving that -- my vote to  
10 whoever is -- and whatever is determining what's in  
11 that QR code. So that's not transparent.

12 I think that a voter verification and the  
13 transparency at that beginning step of in-person voting  
14 today on Georgia's BMD election system is a barrier to  
15 my ability to vote.

16 Q Do you have any evidence of the -- any QR  
17 codes on the BMD ballot containing votes, summaries  
18 that are different than those listed on the paper  
19 ballot?

20 A Well, I can't read a QR code. So I couldn't  
21 have any evidence.

22 Q Do you have -- okay.

23 Do you have any evidence of anyone -- any  
24 voter who has selected a candidate on the touch screen  
25 of the ballot marking device and the printout has been

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1 different -- has printed a different name than the  
2 individual selected?

3 A I have no personal evidence. I have the  
4 knowledge of -- that I've gotten from experts and in  
5 our lawsuit -- our experts' declarations that --  
6 they're the authorities on it since I'm not an expert  
7 on the technology.

8 Q So you've reviewed the declarations of the  
9 experts in this case; is that correct?

10 A I've reviewed the declarations that are not  
11 privileged and confidential. And those that -- I  
12 understand that there is information from our experts  
13 that is confidential that might inform me more. But I  
14 haven't -- I haven't been able to see that.

15 Q You stated earlier about the transparency  
16 with the BMD and the QR code and knowing what vote  
17 selections are contained within that QR code. And I  
18 just want to make sure I understand. That -- that is  
19 the scope of your complaint with the current BMD  
20 system; is that right?

21 MR. CROSS: Objection to form.

22 THE WITNESS: No. That's not correct.

23 BY MR. RUSSO:

24 Q So what is this -- what is, then, the scope?

25 A The scope includes voter -- lack of voter

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1 verification, nontransparency, concerns about the  
2 security of the election system, and the fact that the  
3 election system doesn't include postelection risk  
4 limiting audits.

5 Q That's -- so that's the full scope?

6 A That's also -- that's also the possibility of  
7 the -- other than malfeasance or security problems,  
8 just problems with the technology, errors that can be  
9 made. So all of the components that I mentioned are  
10 essential for -- to protect my constitutional right to  
11 cast a vote and have a reasonable -- reasonable  
12 expectation that that vote was counted as cast.

13 Q And how is that different from every voter's  
14 reasonable expectation?

15 MR. CROSS: Objection to form. Calls for  
16 speculation.

17 BY MR. RUSSO:

18 Q Don't you agree every voter wants to have  
19 their vote counted accurately?

20 MR. CROSS: Objection to form. Calls for  
21 speculation.

22 THE WITNESS: I can only speak for myself.

23 BY MR. RUSSO:

24 Q So you -- you don't think other voters want  
25 to have their ballot counted accurately?

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1 A I'd have to guess.

2 Q Fair enough. Looking at paragraph 7, it's at  
3 the bottom of that page, first -- "The inherent flaws  
4 in the DREs render it not possible for the state to  
5 comply with the election law or to protect their rights  
6 of voters."

7 Do you see that?

8 MR. CROSS: Where are you?

9 MR. RUSSO: The first sentence.

10 THE WITNESS: Yes, sir. I do.

11 BY MR. RUSSO:

12 Q And what do you mean by "inherent flaws"?

13 MR. CROSS: Objection. Calls for expert  
14 conclusions.

15 THE WITNESS: Because this is about the DREs,  
16 and the judge has already determined that those DREs  
17 did have flaws enough to -- that the system could not  
18 be used, and the Secretary of State decided to retire  
19 the system. I think that -- those -- that has been  
20 proved.

21 BY MR. RUSSO:

22 Q What is your understanding of what the  
23 inherent flaws in the DREs that made it not possible  
24 for the state to comply with election law or protect  
25 the rights of Georgia voters? What does that mean to

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1       you?

2                   MR. CROSS:  Objection.  Calls for a legal  
3       conclusion.  Expert conclusions.  And asked and  
4       answered.

5       BY MR. RUSSO:

6           Q       I'm just asking what it means to you  
7       personally.  I'm not asking for a legal conclusion.

8                   MR. CROSS:  My objection still stands.

9                   THE WITNESS:  I've already stated that the  
10      judge made a determination in the case on the DREs,  
11      that DREs were retired -- that the state -- Secretary  
12      of State also retired the DREs.

13      BY MR. RUSSO:

14           Q       And I'm sorry.  I'm not understanding your  
15      answer.  You're not actually saying what your  
16      understanding of what these inherent flaws are in the  
17      system.

18           A       I think the determination --

19                   MR. CROSS:  Hold on.  He hasn't asked you a  
20      question yet.  Objection.

21      BY MR. RUSSO:

22           Q       It's the same -- it's the same question.  I'm  
23      entitled to get an answer.

24                   MR. CROSS:  She's answered it.  You can read  
25      the opinion for yourself, Vincent.  She's referenced it



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1 two or three times now.

2 BY MR. RUSSO:

3 Q So -- so you're -- to be clear, Ms. Price,  
4 your answer is that the inherent flaws in the DRE  
5 system are the ones that the -- are whatever the judge  
6 has found?

7 A The judge's determination, which was in 2019,  
8 she wrote a report on it. And the flaws were mentioned  
9 in that report.

10 Q Did you read this complaint before it was  
11 filed?

12 A Which complaint?

13 Q The one we're looking at.

14 A My practice is to read all the complaints.

15 Q Turning to -- let's flip to paragraph 8.

16 MR. RUSSO: It's on the next page, David,  
17 page 5.

18 MR. CROSS: We have it.

19 BY MR. RUSSO:

20 Q Okay. It states that "This case is not  
21 merely about a technical violation or a theoretical  
22 risk. It is about forcing voters to choose between  
23 totally relinquishing their right to vote and  
24 acquiescing to cast their vote despite very real risks;  
25 the risk that their vote will not be properly counted;

1 the risk that the declared results will be contrary to  
2 the will of voters; and furthermore, the risk that  
3 there will be no way to verify the validity of the  
4 election." Do you see that?

5 A I do.

6 Q Okay. And what -- can you explain to me what  
7 the -- well, let me back up.

8 The -- the three -- the risks identified in  
9 this paragraph, are those -- is that the scope of the  
10 very real risks referenced in this paragraph?

11 MR. CROSS: Objection. Calls for expert  
12 conclusion.

13 THE WITNESS: So I could repeat my answer  
14 before, that the judge made a determination on the DRE  
15 voting system. It was retired in 2019. And the  
16 Secretary of State agreed too that it needed to be  
17 retired.

18 BY MR. RUSSO:

19 Q And, Ms. Price, you understand that this  
20 lawsuit is about more than just the DREs; right?

21 A Yes.

22 Q And this paragraph refers to what this case  
23 is about. So what I'm trying to understand is what are  
24 the very real risks that you referenced in this  
25 paragraph, and we'll just focus on the BMDs for now.

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1 MR. CROSS: Again, calls for expert  
2 conclusions.

3 THE WITNESS: My understanding, this  
4 complaint deals with the DREs, not the BMDs.

5 BY MR. RUSSO:

6 Q And so with respect to the DREs, just to make  
7 sure I understand, the risks -- the very real risks  
8 that you're referencing in this paragraph are -- you  
9 stated one's referenced in the judge's order?

10 MR. CROSS: Objection. Misstates her  
11 testimony.

12 BY MR. RUSSO:

13 Q Well, you tell me, Ms. Price, what are the  
14 very real risks referenced in paragraph 8 of your  
15 complaint?

16 A I believe I've already answered that, sir.

17 Q And so that the record's clear, what do you  
18 think those very real risks are? You referenced an  
19 order. Which order is it that you're referencing?

20 MR. CROSS: Asked and answered.

21 Go ahead, Ms. Price.

22 THE WITNESS: I've already answered that  
23 question.

24 BY MR. RUSSO:

25 Q You didn't state which order. Which -- which

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1 determinable or indeterminable. So that means that I  
2 can't draw a conclusion.

3 Q Can you explain -- explain what you mean?  
4 You testified that the results were indeterminable and  
5 now you've changed it. So I'm just trying to  
6 understand your answer.

7 A Because our -- our lawsuit says our  
8 constitutional rights are violated by the voting  
9 system, the BMD voting system -- or the present voting  
10 system in Georgia. So therefore, I have no -- I can't  
11 say the voting -- the results are determinable or  
12 indeterminable.

13 Q Now, in your lawsuit, you've asserted that,  
14 due to vulnerabilities, the results are indeterminable.  
15 So is that not your -- that's not your position any  
16 longer?

17 MR. CROSS: Objection. Misstates her  
18 testimony.

19 THE WITNESS: I don't believe I've said that.  
20 BY MR. RUSSO:

21 Q Okay. And what I'm trying to understand,  
22 Ms. Price -- and this is -- it's going to be a lot  
23 longer day if we're not able to get some answers  
24 than -- than both of us, I promise, would like.

25 You know, you've alleged that the results are

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1 indeterminate due to the machines. And now you said  
2 you don't know if their determinable or not. So  
3 what -- what are you -- what are you saying? What is  
4 your position?

5 MR. CROSS: Asked and answered. Object to  
6 the characterization as not being responsive.

7 The challenge here, Vincent, is your  
8 questions are often confusing and you cover the same  
9 ground many, many times.

10 MR. RUSSO: Well, the questions aren't being  
11 answered, David. And they're -- I'm simply asking her  
12 about the allegations in her complaint and what she  
13 means. So if -- if the question's confusing, maybe  
14 there's a problem with the complaint.

15 BY MR. RUSSO:

16 Q Let's turn -- let's look at paragraph 11.  
17 The last sentence states, "Additionally, while  
18 defendants are implementing a paper ballot system for  
19 certain 2020 elections, they have chosen to force all  
20 of Georgia's voters to use ballot marking devices which  
21 suffer from the same security vulnerabilities as  
22 defendants' flawed DRE voting system."

23 Do you see that?

24 A Which paragraph is it? Are we --

25 MR. CROSS: It's the last sentence of the

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1 paragraph on paragraph 11. It begins "additionally."

2 THE WITNESS: Okay.

3 BY MR. RUSSO:

4 Q My question is: What are the security  
5 vulnerabilities that you're referencing in this  
6 paragraph?

7 MR. CROSS: Calls for expert conclusions.  
8 Vincent, you also keep ignoring that a huge portion has  
9 been withheld from our clients at your insistence.

10 MR. RUSSO: The complaint was, of course,  
11 written prior to any of the reports.

12 BY MR. RUSSO:

13 Q So what were you referencing when you signed  
14 off on this complaint?

15 MR. CROSS: Let me just caution you not to  
16 disclose anything that's privileged. So any  
17 communications you had with counsel in preparing this  
18 complaint, you should not disclose as privileged.

19 BY MR. RUSSO:

20 Q Do you know of -- do you know which security  
21 vulnerabilities are referenced in this paragraph?

22 A I think that our experts have delineated  
23 security vulnerabilities, and some of the documents  
24 that they have since supplied are not available for me  
25 to look at. So I can't -- I can't say.

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1 Q At the time that you filed this complaint, do  
2 you know of any security vulnerabilities that are being  
3 referenced in this paragraph? I'm just asking do you  
4 know of any?

5 A Well, I do know the security vulnerabilities  
6 in terms of the DRE voting system, some of them that  
7 were -- that had been a part of our case which include  
8 the Kennesaw -- the exposure of the election system  
9 data in Kennesaw.

10 Q And is that -- that alleged security  
11 vulnerability one that you are claiming the BMD  
12 suffered?

13 MR. CROSS: Objection. Calls for an expert  
14 conclusion.

15 THE WITNESS: As I stated before, I have not  
16 seen some of the declarations from our experts on the  
17 BMDs. So I don't have the information to give you an  
18 answer because they're privileged communication.

19 BY MR. RUSSO:

20 Q And you understand that this complaint was  
21 filed prior to your experts having any information  
22 about the BMDs that were subject to, you know,  
23 confidential or attorneys' eyes only designations;  
24 right?

25 A I do understand that.

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1 Q Okay. So -- but what you're saying is you  
2 can't answer this because you haven't seen your  
3 experts' reports?

4 A The expert reports that are referring to the  
5 BMDs as far as security vulnerability.

6 Q Okay. Let's move to paragraph 12. It starts  
7 for these reasons and those demonstrated below,  
8 plaintiffs respectfully ask the court, one, to hold  
9 defendants liable for the violations of Georgia voter  
10 rights in connection with the Relevant Previous  
11 Elections and to ensure that those rights are protected  
12 in connection with the scheduled fall 2019 and all  
13 future elections and, two, to enter an order providing  
14 such relief as is necessary and appropriate to protect  
15 Georgia's voters from such future and irreparable harm.

16 What is the relief that you are seeking that  
17 you're asking the Court to do? Say, it was to --  
18 excuse me -- and -- and number two, what additional  
19 relief, if any, are you seeking?

20 MR. CROSS: Just object. Calls for an expert  
21 conclusion and a legal conclusion.

22 You can answer, Ms. Price.

23 THE WITNESS: Yes. Our attorneys for the  
24 lawsuit have written out the complaint and the relief.  
25 So they're the ones who provided that information.



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1 BY MR. RUSSO:

2 Q So you don't know what relief you're seeking?

3 MR. CROSS: Objection. Mischaracterizes her  
4 testimony.

5 BY MR. RUSSO:

6 Q Do you know what relief you're seeking?

7 A For myself, I know that I'm seeking  
8 constitutional right to vote on the election system in  
9 Georgia and have a reasonable assurance that my vote  
10 will be counted as cast.

11 Q And how would you -- how would you know that  
12 your vote is counted as cast under the system that you  
13 would like?

14 MR. CROSS: Objection. Calls for expert  
15 conclusion.

16 You can answer.

17 THE WITNESS: I rely on the information that  
18 I'm given by experts who have testified and provided  
19 information for our lawsuit, and other experts on what  
20 is a secure, accurate, verifiable, auditable voting  
21 system, what's a constitutional voting system.

22 BY MR. RUSSO:

23 Q So you're relying on your experts?

24 A That's correct. And the knowledge of  
25 experts. And I wonder if we could take a break.

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1 MR. RUSSO: Can we get through the complaint?  
2 We don't have much further to go if that's okay. If  
3 it's an emergency, please. If you need to use the  
4 restroom or it's an emergency, please, let's -- we can  
5 take a five-minute break. I just wanted to try to get  
6 through this. I think we're getting close to being  
7 done.

8 MR. CROSS: How long are you thinking on the  
9 complaint?

10 MR. RUSSO: I've got probably three or four  
11 more paragraphs to ask about. It just really depends  
12 on how long each one takes to get an answer.

13 MR. CROSS: Why don't we keep going? And if  
14 it goes more than five or ten minutes, then we need a  
15 break. Is that okay?

16 MR. RUSSO: That's fine.

17 BY MR. RUSSO:

18 Q Let's turn to paragraph 65 on page 21. I'll  
19 direct you to the second sentence that states,  
20 "According to the Senate Intelligence Committee,  
21 hackers likely tried to access election systems in all  
22 50 states during the 2016 elections." Do you see that?

23 A I do.

24 Q Do you believe that hackers trying to  
25 access --

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1 (Technical difficulties.)

2 Q Sorry about that. Now, I was asking about  
3 paragraph 65. I don't know where I got cut off.

4 What I was asking about is the sentence that  
5 says according to a Senate Intelligence Committee,  
6 hackers likely tried to access election systems in all  
7 50 states during the 2016 elections.

8 Do you believe that hackers trying to access  
9 those election systems made them untrustworthy in any  
10 manner?

11 MR. CROSS: Objection. Vague. And calls for  
12 an expert conclusion.

13 THE WITNESS: The experts in that area. I'm  
14 not a computing security expert.

15 BY MR. RUSSO:

16 Q Okay. I mean, do you -- is it your personal  
17 opinion that hackers trying to access a system makes  
18 it -- an election system makes it untrustworthy?

19 MR. CROSS: Objection. Calls for  
20 speculation. And overbroad. Are you talking specific  
21 to Georgia?

22 BY MR. RUSSO:

23 Q Well, I'm really talking about the --  
24 referencing this paragraph, but sure, we can narrow it  
25 to just Georgia.

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1           A       I rely on the expert information dealing with  
2       vulnerabilities to the voting system, and I have my  
3       understanding of that the voting system has security  
4       vulnerabilities.

5           Q       So you're -- you don't have a personal  
6       belief?

7                   MR. CROSS:   Objection to form.   Vague.   And  
8       asked and answered.

9       BY MR. RUSSO:

10          Q       Ma'am, you stated that you defer to the  
11       experts, what the experts would say.   And so I'm asking  
12       if, you know, the -- here, according to the Senate  
13       Intelligence Committee, hackers likely tried to access  
14       election systems in all 50 states in 2016, you don't --  
15       you don't have an opinion whether that -- whether you  
16       think hackers trying to access an election system makes  
17       it untrustworthy?

18                  MR. CROSS:   Objection.   Asked and answered.  
19       Vague.   Calls for an expert conclusion.

20          MR. RUSSO:   David, calling for an expert  
21       conclusion is not an objection to form.   I mean, you  
22       know, I've let it go.   You're leading --

23                  MR. CROSS:   It is.

24                  MR. RUSSO:   -- here.   It's not.

25                  MR. CROSS:   You need to study the rules.   It

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1 is. If we were sitting in court, and you asked a lay  
2 witness for an expert opinion --

3 MR. RUSSO: In court, it would be different,  
4 of course.

5 MR. CROSS: It is an objection to form. It  
6 is literally an objection to the form of the question.

7 If you want to rephrase, you're welcome to.

8 BY MR. RUSSO:

9 Q Ma'am -- Ms. Price, what is -- what is  
10 your -- what is your opinion on whether a hacker trying  
11 to access an election system makes such election system  
12 untrustworthy?

13 MR. CROSS: I'll object as overbroad and  
14 calls for speculation.

15 BY MR. RUSSO:

16 Q You can still answer it.

17 A Okay. From what I understand you're saying,  
18 if experts say a voting system might be attacked and it  
19 might -- or might be vulnerable to outside hackers,  
20 then do I agree that that makes a voting system  
21 vulnerable? Is that the question?

22 Q Sure.

23 A I think I have to rely on security experts,  
24 voting security experts, to know whether a specific  
25 system, meaning the Georgia BMD voting system, is

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1 DREs, so I wouldn't be able to answer that.

2 BY MR. RUSSO:

3 Q Okay. That's not -- the paragraph statement  
4 is what -- the proposed election system will not be  
5 safer than the current system, and it goes on. And I  
6 just want -- current system's referring to DREs and  
7 then I asked what would make the proposed election  
8 system, which is the BMD system, substantially safer?

9 MR. CROSS: Objection. Vague. Calls for an  
10 expert opinion.

11 You can answer, Ms. Price.

12 THE WITNESS: I --

13 BY MR. RUSSO:

14 Q Sorry. I didn't hear an answer. Did you  
15 answer?

16 MR. CROSS: She said she's thinking.

17 BY MR. RUSSO:

18 Q Okay. Sorry.

19 A I think the proposed system, which is the  
20 current system, has the same flaws as the BMD voting  
21 system. I mean, as the DRE system. Sorry. So it has  
22 the same flaws -- the BMD voting system has the same  
23 flaws that the DRE voting system had.

24 Q And so if it didn't have those same flaws,  
25 would it then be substantially safer, in your opinion?

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1 MR. CROSS: Objection. Speculation.

2 But you can answer.

3 THE WITNESS: Do you have a specific voting  
4 system? I don't know what voting system you have in  
5 mind.

6 BY MR. RUSSO:

7 Q I'm not asking about -- you said the DRE  
8 system has the same flaws as the BMD system. And I  
9 said if they didn't have the same flaws, would the BMD  
10 system then be substantially safer in your opinion?

11 MR. CROSS: Objection. Speculation.

12 THE WITNESS: So you're saying that the DRE  
13 system has the same flaws as the BMD. Did you mean  
14 the --

15 BY MR. RUSSO:

16 Q You said that.

17 A I didn't.

18 Q You said that. And so I'm asking if they did  
19 not have the same flaws, would the BMD system then be  
20 substantially safer, in your opinion?

21 MR. CROSS: Objection. That's -- I think you  
22 guys are missing each other because that's not what she  
23 said.

24 BY MR. RUSSO:

25 Q Well, try explaining them to me, what you

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1 A Could we see the document again?

2 Q Sure. That's not a problem. It's -- it is,  
3 I believe, Exhibit 3.

4 MR. CROSS: We have it up.

5 BY MR. RUSSO:

6 Q Okay.

7 A And so can you ask -- can you repeat? I'm  
8 sorry. Could you repeat the question?

9 Q Of course. So I was just simply asking why  
10 you stopped voting in person on the machines as of --  
11 it appears to be early 2018.

12 A I'm surprised that it was 2018. But I know  
13 the -- in 2017 is when we found out about Kennesaw, the  
14 election system being hacked into. So I think that  
15 probably made it more urgent for me to be hand marking  
16 a paper ballot.

17 Q Because you had started Georgians for  
18 Verified Voting back in 2003; right?

19 A Right.

20 Q And you mentioned earlier that organization  
21 was formed in part due to the DREs and to promote  
22 verifiable elections in Georgia; is that right?

23 A Correct.

24 Q Okay. And then in '06, you mentioned --  
25 2006, you filed a complaint over the DREs; right?



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1 A What year did you say?

2 Q 2006. You mentioned it went to the Attorney  
3 General?

4 A Yes. With the election board, yes.

5 Q So you didn't think the machines -- voting  
6 machines were vulnerable enough at that time to need to  
7 start voting absentee by mail?

8 MR. CROSS: Objection to form.

9 THE WITNESS: No. I wouldn't say that. I  
10 don't know why I continued to vote on the DREs except  
11 that I stopped after I heard about what happened in  
12 Kennesaw. So it's all I can say.

13 BY MR. RUSSO:

14 Q And do you recall when you -- do you recall  
15 when you heard about what happened in Kennesaw?

16 A What's that? March 2017, I think.

17 Q So you still voted in person it appears at  
18 least one more time after March 2017. That appears to  
19 be the general primary election in 2018?

20 A That's what's recorded there, yes.

21 Q Do you dispute the accuracy of that record?

22 A I don't dispute the accuracy of the record  
23 except that it doesn't show that I registered to vote  
24 in 1992 in Georgia.

25 Q All right. But with regards to voting in

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1 person in 2018 after you had learned of Logan Lam  
2 Kennesaw State issue in reference to 2017, that record  
3 you don't dispute that you voted in person in 2018 in  
4 the general primary?

5 A I don't dispute it.

6 Q Okay. How were you injured by the BMD  
7 system?

8 MR. CROSS: Objection. Calls for a legal  
9 conclusion.

10 You can answer, Ms. Price.

11 THE WITNESS: Firstly, I'm injured by the  
12 fact that I can't cast a vote by a verified paper  
13 ballot, that the system has been shown by experts to be  
14 insecure, that there are no postelection risk limiting  
15 audit. So the system, just in those three points, does  
16 not fill the criteria of the experts or a  
17 constitutional voter verified, secure, accurate,  
18 transparent, and auditable election system.

19 BY MR. RUSSO:

20 Q But if the experts found otherwise that there  
21 was a better verified paper ballot and the  
22 vulnerabilities that you're referring to didn't affect  
23 your voting, would that change your injury?

24 MR. CROSS: Objection. Calls for  
25 speculation. Misstates the facts.

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1 THE WITNESS: So that is not the voting  
2 system that is offered in Georgia. You're not  
3 describing the BMD voting system in Georgia.

4 BY MR. RUSSO:

5 Q I'm sorry. You had said your -- that the  
6 injury by the BMD system, it was -- well, let me just  
7 ask you. Is your injury contingent upon what the  
8 experts find?

9 MR. CROSS: Objection. Calls for a legal  
10 conclusion.

11 A My injury is contingent in the fact that the  
12 system that's being used in Georgia now, the BMD voting  
13 system, does not protect my constitutional right to  
14 vote on a system that is verifiable -- voter  
15 verifiable, transparent, accurate, secure and  
16 auditable.

17 Q And how are you personally affected by the  
18 BMD system? Because you still vote; correct?

19 A Yes. But I vote by absentee ballot now.

20 Q In fact, you refuse to vote in person; right?

21 A On the current system, yes.

22 Q Now, are you aware of any of the  
23 vulnerabilities you mentioned that have in any way  
24 altered any votes in any elections?

25 MR. CROSS: Sorry. Vincent, can you ask that

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1 again? I didn't get that.

2 BY MR. RUSSO:

3 Q I'm simply asking are you aware of any of the  
4 vulnerabilities you mentioned a minute ago being  
5 exploited such that they've changed anyone's votes?

6 A I have no information whether votes have been  
7 changed or not changed. No direct information.

8 Q So your fear that your vote will not be  
9 counted accurately, it's not based on any evidence of  
10 someone's vote not being counted accurately before?

11 MR. CROSS: Objection. Vague.

12 You can answer if you understand.

13 THE WITNESS: First, I'm not afraid. So I  
14 wouldn't characterize myself as being afraid. I just  
15 rely on information from experts about what is a  
16 constitutional voting system, one that protects my  
17 constitutional rights.

18 BY MR. RUSSO:

19 Q And so -- so if an expert has not found that  
20 a voting system is unconstitutional, then it's  
21 acceptable to you?

22 MR. CROSS: Objection to form. Speculation  
23 and misstates the facts. I don't know what expert  
24 you're talking about.

25 MR. RUSSO: She said if the expert -- she

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1 relies on the experts to tell her if it's  
2 unconstitutional. And I said if so, if an expert  
3 hasn't found a system to be unconstitutional, then is  
4 it acceptable for her.

5 MR. CROSS: There's no such expert.

6 Go ahead.

7 MR. RUSSO: Right. No. I understand.

8 THE WITNESS: Yeah. I would have to  
9 speculate on a voting system that you're describing  
10 because my participation as a plaintiff in this lawsuit  
11 is about the Georgia election system that exists at  
12 present, and it was about the DRE voting system that  
13 did exist prior to this. So it relates to these  
14 systems, not a hypothetical system.

15 BY MR. RUSSO:

16 Q And I don't necessarily know that that's what  
17 Mr. Cross was objecting to, but if the Court were to  
18 order the state to continue using BMDs -- and I realize  
19 this is a hypothetical. But if the Court were to order  
20 the state to continue using BMDs as they are but  
21 ordered risk-limiting audits as plaintiffs' experts  
22 have suggested, would that alleviate your concerns  
23 about elections?

24 MR. CROSS: Objection. Calls for  
25 speculation.

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1 THE WITNESS: I think that that would be  
2 progress, but I still wouldn't be able to cast a voter  
3 verified paper ballot.

4 BY MR. RUSSO:

5 Q So risk --

6 A And that's not causing a security risk.

7 Q Okay. So -- and maybe you can expand on that  
8 a little bit. So is it -- what is your belief as to  
9 what risk-limiting audits -- what is the purpose of  
10 risk-limiting audits to you?

11 A It adds an additional component to the voting  
12 system to help confirm the accuracy of the results.

13 Q But -- and so if the Court ordered the state  
14 to use risk-limiting audits in the manner suggested by  
15 your experts or plaintiffs' experts, that still would  
16 be insufficient for you?

17 A I would still not be able to cast a voter  
18 verified paper ballot, so therefore, the primary  
19 document in the election would be missing.

20 (Exhibit 6 Marked for Identification.)

21 BY MR. RUSSO:

22 Q Okay. I'm going to introduce what is being  
23 marked as Exhibit 5. It should be up soon. Let me  
24 know when you have it.

25 MR. CROSS: It looks to be the third amended

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1 complaint. Is it different than what we looked at  
2 before?

3 MR. RUSSO: Yeah, it is. I don't know why it  
4 did that. Interesting. Okay. Because it's pulled  
5 up -- all right. Let's try this again. We're not  
6 introducing that twice.

7 Okay. Let me know when you have it. And I  
8 guess we're on 6 now, which is fine. I think whenever  
9 it introduced the third amended complaint the second  
10 time, it just put another exhibit number on it. Not  
11 that it really matters. I'm not going back to that  
12 exhibit, and we can probably presume that the court  
13 reporter can -- I mean, we don't even need to do  
14 anything, I don't think. Okay. So it's up now, David?

15 MR. CROSS: Yep.

16 BY MR. RUSSO:

17 Q Ms. Price, okay. I'm showing you what's been  
18 marked as Exhibit 6 to your first declaration dated  
19 August 17, 2018. Do you recognize that document?

20 A Yes.

21 Q And if you flip to the last page, is that  
22 your signature on it?

23 A Yes, sir, it is.

24 Q And did you write this declaration?

25 A Is that attorney-client?

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1 MR. CROSS: As to when you wrote it? No.

2 (Technical difficulty.)

3 THE WITNESS: Yes, I wrote it with the advice  
4 of my attorneys.

5 BY MR. RUSSO:

6 Q Okay. And so other than your attorneys, no  
7 one else assisted you in drafting it?

8 A Oh, no.

9 Q But your attorneys did. I'm not asking about  
10 what they assisted with, but your attorneys assisted in  
11 drafting?

12 MR. CROSS: Are you asking whether her  
13 lawyers --

14 MR. RUSSO: Well, I wasn't entirely clear if  
15 she said that you actually assisted or not, but if  
16 that's her testimony, then it's fine.

17 THE WITNESS: Yes.

18 BY MR. RUSSO:

19 Q Okay. Now, we've already discussed some of  
20 your work with Georgians for Verified Voting and other  
21 organizations in paragraphs 4, 5, and 6. And you might  
22 just take a look at them and confirm that those are  
23 still accurate.

24 A Okay. Okay. Would you repeat the question  
25 now?



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1 Q I was just confirming that those are  
2 accurate.

3 A Yes.

4 Q Now, turning to paragraph 10. It states "I  
5 have learned of the extreme vulnerability of Georgia's  
6 system to undetectable errors and malicious tampering  
7 and the failure of the system to provide a  
8 voter-verified mechanism independent of software for  
9 auditing the electronic results." Do you see that?

10 A Yes.

11 Q And what -- how did you learn of the extreme  
12 vulnerability referenced in this paragraph?

13 A I learned from experts.

14 Q And -- well, go ahead. I'm sorry.

15 A No. I was just going to say experts in the  
16 field. So election integrity experts and technology  
17 experts.

18 Q And do you recall any particular experts who  
19 you learned from?

20 A Alex Halderman.

21 Q And what are the undetectable errors in  
22 Georgia's voting system that you're referring to?

23 A Well, in this paragraph, I'm talking about  
24 the vulnerability of the system to errors.

25 Q Okay. And can you explain that for me, what

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1 you mean?

2 A I would have to refer to papers from the  
3 courts and other information that I read or obtained  
4 through the experts that I mentioned because I'm not a  
5 technology, you know, a security technology expert.

6 Q And what do you -- what are the extreme  
7 vulnerabilities to malicious tampering that you're  
8 referencing?

9 A I think I've already answered that.

10 Q I don't believe we've talked about any  
11 malicious tampering.

12 A It's vulnerability to tampering.

13 Q Right. So do you know of any vulnerability  
14 to malicious tampering?

15 A Well, the Kennesaw elections system was  
16 extreme vulnerability.

17 Q So to malicious tampering?

18 A It was a vulnerability.

19 Q And was it a vulnerability to malicious  
20 tampering?

21 A From what I understand.

22 Q And tell me. What do you understand?

23 A Well, from what I can remember from the  
24 report, passwords for getting into the system were  
25 found. It's all in Logan Lam's report. So I'd have to

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1 refer to that report or just defer to Logan Lam's  
2 information about that report. That's just been  
3 introduced into our lawsuit as expert information.

4 Q And you mentioned a server. Do you know  
5 anything more about -- you know anything about the  
6 server that you mentioned?

7 A Like, I did read the e-mails and I read the  
8 reports from Kennesaw about the fact that that election  
9 system at Kennesaw was left open to the Internet.

10 Q Do you have personal knowledge of any of  
11 these issues, or are they reliant upon your experts?

12 A I didn't work at Kennesaw. I wasn't part of  
13 the investigation.

14 Q I'm sorry. Go ahead.

15 A I wasn't involved in -- personally in any way  
16 in the investigation or the FBI when they investigated  
17 someone. I had no personal involvement in that  
18 activity.

19 Q Now, earlier you testified that the  
20 vulnerabilities -- and we've been referring to your  
21 complaint -- the vulnerabilities in the DRE are the  
22 same -- the security vulnerabilities are the same as  
23 those in BMDs. Do you recall that?

24 MR. CROSS: Objection. Misstates her  
25 testimony. That's not what she said.

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1           You keep reversing it. You keep turning it  
2 around.

3 BY MR. RUSSO:

4           Q     You just stated that the DREs, the  
5 vulnerabilities to the DREs were due to compromise.  
6 And my question is what are the vulnerabilities that  
7 you believe exist in the BMD system?

8           MR. CROSS: Objection. Asked and answered  
9 numerous times today. And calls for a legal -- expert  
10 conclusion.

11           THE WITNESS: So as I've said before, there  
12 are experts who have given their opinion in this  
13 action, this lawsuit as to the vulnerabilities,  
14 security vulnerabilities of the system and most of the  
15 recent ones with the BMDs have gone -- have been  
16 confidential. So I haven't read those reports. And I  
17 would just be -- even if I had read them, it's the  
18 experts who came to those conclusions.

19 BY MR. RUSSO:

20           Q     Okay. Turning to paragraph 11 on the last  
21 page of your declaration, it states "I became even more  
22 concerned about the security of Georgia elections in  
23 the light of the public disclosure that an election  
24 server administered by the state's contractor, Center  
25 for Election Systems at Kennesaw State University, left

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1 critical election data open on the Internet without a  
2 firewall in at least 2016 and 2017 susceptible to  
3 anyone with Internet access."

4 Now, how do you know that this server was  
5 accessible to anyone with Internet access?

6 A Because that's what the experts say. And the  
7 report was from Kennesaw. And the news reports.

8 Q You refer to, again, election server. What  
9 do you mean here in this paragraph by "election  
10 server"?

11 MR. CROSS: Asked and answered.

12 MR. RUSSO: I don't think I asked her about  
13 this paragraph.

14 MR. CROSS: You asked about the server.

15 Go ahead. He just wants you to repeat  
16 yourself throughout the day today.

17 BY MR. RUSSO:

18 Q I'm just trying to understand if this is  
19 what -- do you know anything about this election  
20 server?

21 A Just what I read. I did have access to  
22 e-mails, to news, to reporting from the Secretary of  
23 State's office. So I -- you know, and Logan Lam's  
24 declaration in our lawsuit.

25 Q And then you also mention here critical

1 election data. What are you referring to by critical  
2 election data?

3 MR. CROSS: Asked and answered.

4 THE WITNESS: I already answered that  
5 question. But I know that there were -- from what I  
6 understand from Logan's report, there were -- and I  
7 didn't -- there was a lot of information that I did not  
8 have. But I believe that passwords, election system  
9 passwords, were part of the information that was  
10 revealed. And that's critical election data. Also P2  
11 information. So that would be voter information.

12 BY MR. RUSSO:

13 Q And is your determination that the  
14 passwords -- you mentioned it's critical election. Is  
15 that based on something that you learned from an expert  
16 also?

17 A Yes.

18 Q In paragraph 13, you state that you do not  
19 believe your vote will count equally and fully. I'll  
20 just read it. It states "If Georgia conducts the 2018  
21 midterm election on the current DRE system, I'll be  
22 forced to vote on a system that I do not believe -- I  
23 do not believe will count my vote equally and fully or  
24 to jump through additional bureaucratic hoops to vote  
25 absentee including requesting an absentee ballot by

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1 mail."

2 You, in fact, did actually vote on a DRE in  
3 2018; correct?

4 A On the record that you showed me, yes, that  
5 would be correct.

6 Q Okay. And did you believe your vote didn't  
7 count equally and fully at that time?

8 A I think I've said it. That's what I've said.  
9 I felt forced to vote on a system that I did not  
10 believe in. I did not believe it would count my vote  
11 equally and fully or I wouldn't have had to vote on an  
12 absentee ballot.

13 Q Right. But you didn't vote on an absentee  
14 ballot in the 2018 elections.

15 A That's correct.

16 Q You voted in person. And so did you not  
17 believe your vote was counted equally and fully?

18 A I believe it's my right to vote in an  
19 election no matter what way I vote particularly in  
20 Georgia where either way there are problems with  
21 voting. And it's my constitutional right to vote.

22 MR. CROSS: And I'll object that your  
23 question misstates the facts.

24 MR. RUSSO: And what do you mean, David?

25 MR. CROSS: Well, you said she voted on a DRE

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1 in the 2018 election. That's not accurate.

2 MR. RUSSO: I said in 2018 she voted on the  
3 DRE. And she voted, as she indicated earlier, in the  
4 general primary in 2018 on May 22, 2018.

5 MR. CROSS: You had a follow-up question that  
6 said 2018 elections. And that wasn't accurate.

7 BY MR. RUSSO:

8 Q I apologize. And I can ask you the question  
9 again and make sure it's clear, Ms. Price. In the 2018  
10 general primary election that was held on May 22, 2018,  
11 when you voted on a DRE, did you believe that your vote  
12 was not counted fully and equally?

13 A I believe that.

14 Q I didn't hear you. You said --

15 A Yes. I believe that.

16 Q Okay. And what do you mean by "count my vote  
17 fully and equally?" What do you mean by "equally and  
18 fully?" I'm sorry. I kind of flipped those words  
19 around a few times here. But in this paragraph, your  
20 reference to "equally and fully" what do you mean by  
21 that?

22 A I mean that I should be able to participate  
23 with all the other voters in voting at my primary,  
24 being able to vote and have my vote counted just like  
25 all the other voters without the threat of being -- of



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1 having to vote on a ballot that's not voter verified,  
2 not auditable and so on. All the other things that  
3 I've mentioned before about flaws in the system.

4 (Exhibit 7 Marked for Identification.)

5 MR. RUSSO: Okay. I'm marking -- showing you  
6 what's been marked as Exhibit 7.

7 MR. CROSS: She's asking for a short break.

8 THE WITNESS: I just need to get some water.

9 THE VIDEOGRAPHER: Off the record 2:04.

10 (Off the record 2:04 p.m. to 2:13 p.m.)

11 THE VIDEOGRAPHER: Back on the record at  
12 2:13.

13 BY MR. RUSSO:

14 Q Okay. Now I believe right when we were --  
15 right before we broke, I'd introduced Exhibit 7. Okay.  
16 Do you have that exhibit? Ms. Price? I'm sorry. Do  
17 you have that exhibit in front of you?

18 A Yes, I do.

19 Q Okay. The declaration which is signed on  
20 May 28, 2019, as Exhibit 7. And do you recognize this  
21 document?

22 A Yes, I do.

23 Q And hopefully, we can be somewhat quick with  
24 this one because it's similar to your prior  
25 declaration. Now, looking at paragraph 7, it mentions

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1       you have "assisted in drafting and lobbying for  
2       legislation aimed at ensuring voter verification exists  
3       at the state and federal levels working collaboratively  
4       with legislatures from the Republican and Democratic  
5       and representatives from the Green, Independent, and  
6       Constitutional parties." Do you see that?

7             A       Yes, I do, sir.

8             Q       Did -- now this when you -- this  
9       declaration -- excuse me -- is dated it appears to be  
10      after House Bill 316 was passed in Georgia. Were you  
11      involved in legislation -- that legislation for House  
12      Bill 316?

13            A       What year was that bill?

14            Q       That was in 2019.

15            A       2019? So I was.

16            Q       And so you followed that legislation?

17            A       (Nods head up and down.)

18            Q       Now, just quickly turning to paragraph 13, it  
19      appears that also you state "If Georgia conducts future  
20      elections on the current DRE system, I will be forced  
21      to vote on a system that I do not believe will count my  
22      vote equally or to jump through hoops -- additional  
23      bureaucratic hoops to vote absentee including  
24      requesting an absentee ballot by mail." This was after  
25      House Bill 316 had passed. Did you have concerns about

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1 BMDs at this time?

2 A Let's look at the date on this.

3 Q Yeah. If you just look down, it's May 28,  
4 2019. It's right above your signature line.

5 A I don't think there was an announcement at  
6 that time of what system had been purchased for  
7 Georgia.

8 Q And I was simply referring to House Bill 316  
9 which required the use of ballot marking devices  
10 beginning in 2020.

11 MR. CROSS: I'm sorry. What was the --  
12 BY MR. RUSSO:

13 Q I'm simply asking at that time did you have  
14 concerns about -- I can't imagine it's a difficult  
15 question.

16 A So it's paragraph 13?

17 Q Yes, ma'am.

18 A Okay. So if Georgia conducts future  
19 elections on the current DRE system. So it's not --  
20 that's not a paragraph related to BMD.

21 Q Right. So all I asked is did you have  
22 concerns about BMDs at this time in light of the  
23 legislation having passed?

24 A I did have concerns about BMD voting systems,  
25 yes.

1 Q And is that because the legislation had  
2 passed at that time?

3 A I don't remember the timing on the --

4 Q But you had concerns. I'm sorry. I didn't  
5 mean to interrupt.

6 A I don't remember the date of the SAFE  
7 Commission studies. But I did have concerns about BMD  
8 voting systems in general.

9 (Exhibit 8 Marked for Identification.)

10 BY MR. RUSSO:

11 Q Okay. I'm going to introduce what is being  
12 marked as Exhibit 8. Do you have it?

13 A Yes, we do.

14 Q Okay. Now, I'll direct your attention to  
15 paragraph 7. It states "I've also learned of threats  
16 to the security, transparency, and verifiability of  
17 Georgia elections posed by implementation of the  
18 election system proposed by Dominion Voting Systems,  
19 Inc., and selected by the Georgia Secretary of State's  
20 office."

21 Now, the threats to security, transparency,  
22 and verifiability referenced in this paragraph, are  
23 those threats that you learned through experts?

24 MR. CROSS: Which paragraph?  
25

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1 MR. RUSSO: Paragraph 7.

2 MR. CROSS: I'm sorry, Vincent. Do you mind  
3 asking that question again?

4 BY MR. RUSSO:

5 Q Sure. I was just simply requesting if the  
6 threats referenced in this paragraph are ones that you  
7 learned simply through experts or through another  
8 source or have personal knowledge of. And I realize  
9 that's a compound question. So I can kind of break it  
10 down. But we'll just go with the experts first. Any  
11 threats that you learned that are referenced in this  
12 paragraph were those ones that you learned through your  
13 experts in this case?

14 A Yes. There's an expert on the SAFE provision  
15 and Dr. Richard DeMillo, Georgia Tech, and then of  
16 course the information --

17 Q I'm sorry.

18 A The information I read about the proposed  
19 election system.

20 Q Okay. And you mentioned Dr. DeMillo and --

21 A Yes, sir.

22 Q -- Professor Lee; is that right?

23 A Yes.

24 Q And this paragraph is referring to the  
25 Dominion system specifically. Did -- what did you

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1 learn from them about the Dominion system?

2 MR. CROSS: Let me just caution not to share  
3 anything that you learned during the course of the  
4 litigation because that will be privileged. But  
5 anything you learned outside of that, communications  
6 with experts unrelated to the lawsuit, you can share.

7 THE WITNESS: I'm sorry. Would you mind  
8 repeating that question?

9 BY MR. RUSSO:

10 Q Sure. You mentioned that you had learned of  
11 the threats from -- through Dr. DeMillo and Lee --  
12 Professor Lee. And he may be Doctor also. And so I'm  
13 simply asking in regards to the Dominion Voting  
14 Systems, which is specifically referenced in this  
15 paragraph, what did you learn from them about that  
16 system?

17 A I see that I learned about vulnerabilities to  
18 BMD voting systems. And the proposed Dominion system  
19 is a BMD voting system.

20 Q Okay. So BMD -- versus the specific system?

21 A Correct.

22 Q And do you recall when you learned of those  
23 threats?

24 A With Dr. Lee. It was the SAFE Commission.

25 Q So prior to 2019?

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1           A       I believe the SAFE Commission was in the  
2       summer of 2019.

3           Q       And so what you learned through the SAFE --  
4       well, excuse me. Let me back up.

5                   Did you learn anything outside of something  
6       you learned through their work with the SAFE Commission  
7       or Dr. Lee's work with the SAFE Commission regarding  
8       the BMDs and these threats?

9           A       I was reading -- I've forgotten the  
10       professor's name -- Andrew Appel. He wrote a report on  
11       BMDs. But I don't know that it addressed the Dominion  
12       Voting System BMD directly. But I remember reading  
13       that online.

14          Q       Now, the next sentence down refers to -- it  
15       says "The proposed election system calls for all  
16       in-person voting to be conducted on in-precinct  
17       scanners/tabulators that reads summary paper records  
18       generated by electronic ballot devices from which votes  
19       are tabulated using an unverifiable, non-human-readable  
20       2D bar code."

21                   What do you mean by "summary paper record"?

22          A       The ballots that are printed by the ballot  
23       marking device are summary records of -- they do not  
24       list the entire measures or other voting referendum  
25       support. They don't spell them out word for word. And

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1 so those are called summary records.

2 Q So if there are no ballot questions on a  
3 ballot or referendum items on a ballot and it only has  
4 the names of the candidates who are selected, does that  
5 mean it's not a summary record, a summary vote record?

6 MR. CROSS: Objection. Vague.

7 THE WITNESS: The ballots that are paper that  
8 are generated by the ballot marking devices are summary  
9 records of the election content and even some of the  
10 candidate information being truncated just to fit on  
11 the ballot, you know, records, paper records of the  
12 ballots that's --

13 BY MR. RUSSO:

14 Q Okay.

15 A Such as --

16 Q I'm just simply trying to understand what you  
17 meant by a "summary paper record." And your initial  
18 answer is about ballot questions. So maybe that was  
19 tied to that.

20 Okay. Paragraph 8, first sentence states  
21 that "Accordingly, without a durable  
22 software-independent, voter-verified record to audit, I  
23 have no confidence that the results of a given election  
24 conducted using the proposed election system will be  
25 accurate and reliable." That's the last sentence in



1       that paragraph.

2                   What do you mean by "durable, a durable  
3       record"?

4           A       The entire sentence says "a durable,  
5       software-independent, voter-verified record."

6           Q       Right. And so previously, you had referred  
7       to software-independent, voter-verified record. And in  
8       this declaration added "durable." So I'm just not sure  
9       what durable -- what is a "durable,  
10      software-independent, verified-voter record"?

11          A       That would be a record that can be stored.  
12      You know, durable means that it's durable. It's not  
13      going to print -- it's not like vague for the period of  
14      time that the records are supposed to be kept by the  
15      state --

16          Q       Okay.

17          A       -- and so on.

18          Q       Okay. I wasn't sure that it was, you know,  
19      some technical term that I didn't know about.

20                   And do you -- are you -- do you dispute that  
21      the BMD system currently in place in Georgia has a  
22      durable record? I'm taking out the voter-verified  
23      piece. Just this paper, do you contend it's not  
24      durable?

25                   MR. CROSS: Objection. Vague.

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1 THE WITNESS: I have not handled the paper  
2 record that's printed by BMD -- by the Dominion Voting  
3 System BMD.

4 BY MR. RUSSO:

5 Q So you don't know based on that if it's  
6 durable?

7 A I don't know if it's durable. That's  
8 correct.

9 Q And then you go on to say you have no  
10 confidence -- "I have no confidence that the results of  
11 a given election conducted using the proposed election  
12 system will be accurate or reliable."

13 And just so there's no confusion, that  
14 defined, the capitalized term "Proposed Election  
15 System" is referring to in paragraph 70 the Dominion  
16 Voting System just to avoid any confusion.

17 So what do you mean that you have no  
18 confidence that the results of any given election  
19 conducted on the Dominion BMD system are accurate and  
20 reliable or will be accurate and reliable?

21 A Well, for one, I can't read bar codes. So  
22 does the proposed election system which is the current  
23 Dominion ballot marking device system does not allow me  
24 to cast voter-verifiable -- voter-verified ballot.

25 Q And so any election conducted on a BMD system

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1 you have no confidence in the accuracy and the  
2 reliability of the election results?

3 A Well, that's what I said. Without a durable  
4 vote -- voter-verified record to audit, I can't have  
5 confidence that the results are accurate and reliable.

6 Q And what would be a type of audit that -- if  
7 you could select, you know, any type of audit that  
8 Georgia would have, what would be the type of audit  
9 that would give you that confidence?

10 A Well, this particular paragraph is talking  
11 about having the voter-verified ballot and having the  
12 bar code being a problem with that. It doesn't address  
13 what kind of audit.

14 Q I'm asking for you, what type of audit would  
15 give you confidence? And that might mean that there is  
16 none.

17 A I think the experts have recommended  
18 risk-limiting audits. And that's part of our lawsuit  
19 too.

20 Q And paragraph 9 of this declaration says "I  
21 understand that the proposed election system thus  
22 suffers from systemic vulnerabilities to advanced  
23 persistent threats just as Georgia's GEMS/DRE election  
24 system does."

25 What is your understanding of the systemic

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1 vulnerabilities to advanced persistent threats  
2 mentioned in this paragraph?

3 A I think that I've already answered that. But  
4 without being able to verify that the ballot which I  
5 mark as a voter or I mark my selections and I can't  
6 verify those selections, then that's a threat to the  
7 results of the election being accurate.

8 Q And what did you mean by "advanced persistent  
9 threats" then?

10 A Well, I would think that an advanced  
11 persistent threat would definitely describe what little  
12 I know about the reports from our expert -- report from  
13 Dr. Halderman that I have not read. But I think that  
14 that would be --

15 Q And then in paragraph 11, you state "Were the  
16 Court to order that Georgia cannot implement and use  
17 the proposed election system but must instead use  
18 hand-marked paper ballots for all voters who can hand  
19 mark which a voter can review to verify that her votes  
20 are cast as intended and would be counted as cast, I  
21 would perceive less risk in casting my ballot in  
22 person." Do you see that?

23 A Yes.

24 Q And I'm going to kind of focus on the part of  
25 this that's referring to what you're asking and it's

1       these hand-marked paper ballots for voters who can hand  
2       mark, which a voter can review and verify that her  
3       votes are cast as intended and will be counted as cast,  
4       how do you know a vote -- a hand-marked paper ballot as  
5       you've requested the Court to do will be counted as  
6       cast?

7             A       I think that --

8             Q       What does that mean?

9             A       I've described that earlier as a voting --  
10       it's an entire voting system. So you have the  
11       hand-marked paper ballot which is voter verified just  
12       by the action of hand marking it. And then you have  
13       the risk of the voting system. So less risk means that  
14       that part of the voting system would be voter verified.  
15       The rest of the voting system involves transparency,  
16       security for the software and hardware. And that  
17       includes the standards and postelection risk-limiting  
18       audits.

19            Q       And -- go ahead. I'm sorry. Were you still  
20       talking? All right. I thought I heard something.

21                    And what are you proposing -- and I  
22       understand you want the hand-marked paper ballots, and  
23       then you said count as cast and that's the rest of the  
24       system. What are you proposing for that here? In this  
25       paragraph, you say you perceive less risk in casting my

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1 ballot in person. If you have hand-marked paper  
2 ballots which a voter can review to verify her votes  
3 are cast, we talked about that piece. And then "will  
4 be counted as cast." And you just stated that that was  
5 the rest of the system, and then you mentioned audits.  
6 So I'm just trying to get an understanding about that  
7 part of what you meant here.

8 MR. CROSS: Objection. Vague.

9 THE WITNESS: I think I --

10 BY MR. RUSSO:

11 Q Are you -- go ahead.

12 A I've already answered this. It's that you're  
13 starting off with the primary record in the election  
14 which is the voters' verified selections, that they  
15 have verified their own selections. And so that means  
16 that the primary record is going to be used in the  
17 counting in the tabulation of the election and in the  
18 postelection audits. So that primary record is what I  
19 meant in this paragraph. Because if the primary record  
20 is not voter verified, then there's more risk that it  
21 will not -- there's risk that it wouldn't be counted as  
22 accurate.

23 Q Are you -- do -- your claims in this case,  
24 are you also challenging the scanners that are used?  
25 Maybe this will help kind of cut through it.

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1 (Exhibit 11 Marked for Identification.)

2 BY MR. RUSSO:

3 Q Okay. Now I'm marking Exhibit 11. It does  
4 not show the third amended complaint. So hopefully it  
5 won't on yours. Let me know when you have it.

6 A You're breaking up a little bit.

7 Q Okay. I don't know if it's --

8 MR. CROSS: You got a lot of -- you have a  
9 lot of -- we have it up.

10 BY MR. RUSSO:

11 Q You've got it. Okay. Great. Now this is  
12 your fifth declaration that's been marked as  
13 Exhibit 11. Do you recognize this declaration?

14 A Yes, sir.

15 Q Okay. Now, you incorporated -- in  
16 paragraph 2, you incorporate all your previous  
17 declarations into this one. Did you -- were there any  
18 changes to any of your previous declarations as  
19 incorporated into this one that you had? I'm just  
20 trying to simply understand to see if you just wanted  
21 to get them all into one document and you were  
22 incorporating by reference. And it may be that this is  
23 something that your lawyers did quite honestly.

24 MR. CROSS: Vincent, are you asking if there  
25 was anything she wanted to change in her prior

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1        declarations?

2                MR. RUSSO: Yeah, yeah. So this is  
3        incorporating everything from prior declarations into  
4        this one. I just want to make sure that we understand  
5        what the full scope of this declaration is.

6                MR. CROSS: Yeah. And that was just an  
7        evidentiary thing for the lawyers just to make sure  
8        those declarations were still part of the record.

9        BY MR. RUSSO:

10              Q        Okay. Now, looking at paragraph 6, I'm  
11        starting in the last line on that page, on page 2. It  
12        says "This work and my involvement in this case is  
13        about more than a single election, election outcome, or  
14        political party."

15                      What did you mean by that statement?

16              A        I mean that my involvement in this case is  
17        not part of -- it's a constitutional right for all  
18        eligible citizens to vote. It's not limited to any  
19        party.

20              Q        And you go on to say "I've worked with  
21        legislators and members of the Republican, Democratic,  
22        and Tea parties and members of the Green, Independent,  
23        and Constitution parties." In your prior declaration,  
24        you mentioned you worked with the Republican and  
25        Democratic parties. When did you start working with



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1 the Tea Party?

2 A With legislation in -- we started writing in  
3 it 2017. It was introduced in the legislative session  
4 in 2018. And one of the sponsors was the Tea Party.

5 Q Okay. So back in 2017, even though it's not  
6 in your declaration, you were working with the Tea  
7 Party?

8 A (Nods head up and down.)

9 MR. CROSS: What do you mean it's not in her  
10 declarations?

11 MR. RUSSO: Yeah. It's just not mentioned in  
12 her prior declarations. She just has the Republican  
13 and Democratic parties. And I just happened to notice  
14 that the Tea Party's made its way into this one.

15 BY MR. RUSSO:

16 Q So I was wondering when you started working  
17 with the Tea Party.

18 A I think that was -- the first time was with  
19 that sponsorship of legislation in the 2017, 2018  
20 legislative session.

21 Q And were you still working with the Tea Party  
22 as of the date of this declaration?

23 A Well, I said I have worked with them. But  
24 I'm not currently working on legislation. I haven't  
25 been since -- what was it?-- 2019.

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1           Q     Okay. And going to, let's see, paragraph 7.  
2     You state "It's because my vote matters I have spent  
3     years suffering from disenfranchisement inherent in the  
4     DRE system and the current BMD which demand I trust  
5     without verifying that all those known and unknown  
6     behind a wall of secrecy accurately count the votes I  
7     intended when using those nontransparent technologies  
8     to mark and cast my ballots."

9                     What's the wall of secrecy that you're  
10   referring to?

11           A     That's another way of saying nontransparency.

12           Q     And just to be clear, the transparency you're  
13   referring to is the QR code?

14           A     That would be one nontransparent component.  
15   So go back to suffering from the DRE system, which in  
16   that, the system -- that system was completely  
17   nontransparent because there was no way to accurately  
18   audit the system outside the electronic results.

19                     So when I cast my vote, whoever is making  
20   decisions on the software and the hardware for that DRE  
21   system, they were totally in control of the vote. And  
22   that was from 2002 forward.

23           Q     And your reference to those known and unknown  
24   who are behind the wall of secrecy are accurately --  
25   what do you mean by those -- "all those known and

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1 unknown"?

2 A I think that in a voting system like the DRE  
3 system, I mean, the ES&S DRE system, there was no way  
4 to determine if the votes that I cast were actually  
5 being counted accurately. There was no independent way  
6 to audit the voting system. There was no paper record,  
7 voter-verified paper record. And so -- and the judge  
8 determined that that system was not secure. That was  
9 the determination of the DRE system.

10 So if it's not secure, then they're -- it's  
11 vulnerable to, you know, people who are behind the  
12 scenes who are, you know, hackers, from who knows  
13 where. I mean, the system is -- it's something that I  
14 can't know.

15 So when I would go and cast my ballot on the  
16 DRE Voting System, it was the same as just giving my  
17 vote to whoever was in charge of writing the codes.  
18 For instance, we had the -- we found out that the -- in  
19 the hearing that we had about the DREs, the last big  
20 hearing we had, we found out that the code was being  
21 written by people in their own homes. It wasn't even  
22 being in the -- having all the security protections or  
23 we didn't even know if they were having any security  
24 protections. So there was no way for me to know. If  
25 someone had hacked into it or altered the code or was

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1 changing the votes, I couldn't -- I just couldn't know.

2 Q And you testified earlier that you never  
3 voted on a BMD. So can you explain to me what you  
4 meant that you have spent years suffering from the  
5 disenfranchisement inherent in the BMD system?

6 A I think I've explained that before. I've  
7 already answered that question.

8 Q I think the last -- we talked about inherent  
9 vulnerabilities, a reference to inherent  
10 vulnerabilities in your complaint and your third  
11 amended complaint. What I'm trying to understand is  
12 the disenfranchisement inherent in the BMD system that  
13 you state in your declaration that you've suffered.

14 A Because, well, for one, I have had a  
15 voter-verified paper ballot. And --

16 Q Okay. Is that -- go ahead.

17 A That's the primary record that's used in the  
18 system. And there are postelection risk-limiting  
19 audits. The system is vulnerable, from what I  
20 understand from experts, to security threats. And  
21 although I don't -- I haven't read those declarations  
22 and the study by Dr. Halderman, that's what I  
23 understand out from a top level. It's -- there are  
24 security threats. So that caused me suffering and  
25 disenfranchisement.

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1 Q Okay. Looking at paragraph 8, you refer to a  
2 transparently voter-verified, software-independent  
3 record of your votes. Is this anything different than  
4 the durable, software-independent, voter-verified  
5 record that we talked about in your previous  
6 declaration?

7 MR. CROSS: Where are you now, Vincent?

8 THE WITNESS: It is in that first sentence in  
9 the last clause.

10 MR. CROSS: Still paragraph 7?

11 MR. RUSSO: No, no, no. Paragraph 8.

12 THE WITNESS: I agree with that statement,  
13 the first sentence.

14 BY MR. RUSSO:

15 Q And all I was asking is -- I was going to ask  
16 you what a transparently voter-verified,  
17 software-independent record of your votes, what that  
18 is. I assume that's the same thing as your prior  
19 references to a software-independent record, or is this  
20 something different?

21 A It's the same.

22 Q Okay. I'm just trying to make sure I  
23 understand if you're heading in a different direction  
24 when you make those statements in your declaration or  
25 not.

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1 Now, the next sentence says "Unfortunately,  
2 voting by absentee paper ballot imposes other burdens  
3 on me as a voter and even potential disenfranchisement  
4 entirely."

5 Now, you have -- what do you mean that voting  
6 by absentee paper ballot poses other burdens on you?

7 MR. CROSS: Objection. Asked and answered.

8 BY MR. RUSSO:

9 Q I don't recall asking about the burdens from  
10 absentee ballots. I did ask about burdens on you at  
11 the -- what you believe to be the burdens on you for  
12 having to vote on a BMD. So if you could just remind  
13 me. What are -- what burdens are on you by voting by  
14 absentee paper ballot?

15 A I believe in further statements on this  
16 declaration, that it goes into more detail.

17 Q Could you point me?

18 A I can read it. It's like "I'm forced to  
19 forgo the privilege, honor, and right to vote alongside  
20 my fellow voters."

21 Q So that was the burden?

22 A Yeah. It goes on to other paragraphs  
23 explaining that.

24 Q Okay. So if you want just tell me what those  
25 other burdens are, it might help cut some of this down.

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1 I see what you're -- you're referring to the burdens  
2 you say in paragraph 13. Is that what you're referring  
3 to, "minefield"?

4 A I don't know if there were things earlier,  
5 you know, between the paragraphs. But yes, that's  
6 definitely some of them.

7 Q Okay. So it's your position that the  
8 requirement to request an absentee ballot is a burden?

9 A Yes.

10 Q Now, you get to actually request -- make one  
11 request, and it counts for all of the elections in an  
12 entire cycle; isn't that right?

13 A Not necessarily.

14 Q Okay. And why is that? What do you mean?

15 A Well, for example, in the last primary that I  
16 voted in -- and it's written about in this declaration,  
17 the problems that I had. And I never really knew it  
18 counted. I was sent an extra ballot by the Secretary  
19 of State and I didn't know if I was -- because more  
20 candidates had been added to the primary. And I didn't  
21 know if the ballot that I sent in in February posted  
22 those elections, which it was only a couple, were  
23 counted or should I vote on the new one that I was  
24 sent. And so I tore it up because I knew the threat  
25 that people, you know, were being accused of voting

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1 twice. And I didn't want to -- more candidates were  
2 added to the runoff. So I didn't get a ballot --  
3 another ballot from the Secretary of State. So then  
4 there was a runoff in June. And when I realized there  
5 were other candidates, then I contacted my election --  
6 DeKalb elections. And they said I should fax a request  
7 for a new ballot. And so I faxed it to the number that  
8 they gave me, but I never received that ballot. So I  
9 didn't get to vote in that election.

10 Q So -- and I guess I want to just direct you  
11 to paragraph 12, and I think that's the one you're  
12 referring to. But just check for me. Are you there?

13 A Yes. Is there a question?

14 Q Yes. So paragraph 12 -- yeah, yeah. I was  
15 going to ask you about -- in paragraph 12, it states  
16 that you -- this is the ballot for the presidential  
17 preference primary. "I requested my absentee ballot on  
18 January 27, 2020. The ballot was issued on  
19 February 4th and received February 21st with the  
20 original election date on March 24th. Later the  
21 Secretary of State's office sent another ballot to my  
22 home without my requesting it. I thought it was in  
23 error. So I destroyed it."

24 Is that what you're referring to?

25 A It is. And --



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1 (Exhibit 12 Marked for Identification.)

2 BY MR. RUSSO:

3 Q I was going to say I've marked as Exhibit 12  
4 another document if you want to -- that ties to this.

5 A Okay.

6 Q If you didn't mind pulling it up.

7 MR. CROSS: We have it.

8 THE WITNESS: Okay.

9 BY MR. RUSSO:

10 Q Okay. And this is your absentee ballot  
11 report from E-net. And you're familiar -- have you  
12 seen this document before?

13 A Yes, sir.

14 Q So you're referring to -- in this paragraph,  
15 it appears that -- let's see. If you go -- one, two,  
16 three, four -- five lines down under the absentee  
17 ballot section, it says there's a requested ballot on  
18 1/27. It looks like there's one before that also,  
19 which I assume is the one you're referring to. And it  
20 appears that they're all that same date which I think  
21 means that you only had to make one request. But  
22 that's besides the point. The ballot you threw away,  
23 do you know what your ballot -- there appears to be two  
24 that weren't returned. Do you know which ballot that  
25 was?

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1           A     No. I don't remember when the Secretary of  
2     State sent out that second one. I don't remember when  
3     I received that.

4           Q     Okay. So you don't know if the ballot you  
5     tore up, which election that was for?

6           A     I thought it was the -- I'm sorry. The  
7     primary. So yeah. I thought it was the primary. And  
8     then I only voted in the primary because I sent it in  
9     right away if I'm looking at this correctly. So I  
10    sent -- I ordered it the 27th of January, and I mailed  
11    it -- it was mailed to me on February the 4th, and then  
12    I returned it on February the 21st. So that's when I  
13    voted on that ballot for the primary.

14          Q     And then you don't recall if the ballot you  
15    tore up was the one in this record that is -- indicates  
16    it was issued/mailed on 4/21/2020 or 7/6/2020?

17          A     I think it was -- let's see. That's -- I  
18    don't recall getting one. 7/6/2020. So well, yes, I  
19    did. Okay. Sorry. I'm trying to figure this out and  
20    I'm doing it out loud. I'm sorry about that. The  
21    April one that I got from the state with more -- that  
22    must have had more candidates on it. But because I was  
23    confused because I already voted in that one, then I  
24    tore that one up. The 7/6. I don't know what 7/6 was.

25          Q     So you don't know if you received it on

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1 July 6, 2020?

2 A That's correct. I don't remember receiving  
3 that. Because that primary was on June -- I think on  
4 June the 9th. So I don't know what the 7/6 -- it could  
5 have been -- it was statewide. So it wasn't county. I  
6 don't know what that one is.

7 Q Now, turning to paragraph 10.

8 MR. CROSS: Turn to where?

9 MR. RUSSO: It states that -- 10.

10 MR. CROSS: Exhibit 10?

11 MR. RUSSO: Yeah. No, no, paragraph 10,  
12 page 4.

13 MR. CROSS: Exhibit 11?

14 MR. RUSSO: We're on the same one. I just  
15 kind of jumped ahead since she had spoken about that  
16 incident.

17 BY MR. RUSSO:

18 Q And the last paragraph -- excuse me. The  
19 last sentence states "Accordingly, without a durable,  
20 software-independent, voter-verified record review, I  
21 can't know that my personal individual vote counted as  
22 intended or that the results of a given election  
23 conducted using the election system will be accurate  
24 and reliable and reflect the expression of my own  
25 unique voice as a voter."

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1           What do you mean that you can't know that the  
2       results of a given election conducted using a BMD will  
3       reflect the expression of your own unique voice as a  
4       voter?

5           MR. CROSS: Vincent, you broke up for a  
6       second. Would you mind asking that again?

7       BY MR. RUSSO:

8           Q       I'm sorry. I was asking what you mean by the  
9       phrase "reflect the expression of your own unique voice  
10      as a voter."

11          A       That would be my voter-verified paper ballot.  
12      That's -- that reflects my own unique voice as a voter.

13          MR. RUSSO: I'm sorry. What was that?

14          MR. CROSS: She wants to take a break. How  
15      much longer do you think you've got?

16          THE VIDEOGRAPHER: Let's go off the record at  
17      3:11.

18          (Off the record 3:11 p.m. to 3:26 p.m.)

19          THE VIDEOGRAPHER: We're back on the record.  
20      The time is 3:26.

21      BY MR. RUSSO:

22          Q       Okay. Ms. Price, I'm going to try to wrap  
23      this up as quickly as possible here. Now turning back  
24      to your fifth declaration at the end of paragraph 12.  
25      You state "I never received that ballot. And the

Curling, Donna v. Raffensperger, Brad

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## CERTIFICATE OF REPORTER

STATE OF NORTH CAROLINA )

COUNTY OF MECKLENBURG )

I, MEREDITH R. SCHRAMEK, hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

I further certify that I have no direct contract with any party in this action, and my compensation is based solely on the terms of my subcontractor agreement.

Nothing in the arrangements made for this proceeding impacts my absolute commitment to serve all parties as an impartial officer of the court.

This, the 14th (



---

MEREDITH R. SCHRAMEK, RPR, CCR 3040

1 Curling, Donna v. Raffensperger, Brad

2 Donna Price (#5123330)

3 E R R A T A S H E E T

4 PAGE \_\_\_\_\_ LINE \_\_\_\_\_ CHANGE \_\_\_\_\_

5 Please see attachment.

6 REASON \_\_\_\_\_

7 PAGE \_\_\_\_\_ LINE \_\_\_\_\_ CHANGE \_\_\_\_\_

8 \_\_\_\_\_

9 REASON \_\_\_\_\_

10 PAGE \_\_\_\_\_ LINE \_\_\_\_\_ CHANGE \_\_\_\_\_

11 \_\_\_\_\_

12 REASON \_\_\_\_\_

13 PAGE \_\_\_\_\_ LINE \_\_\_\_\_ CHANGE \_\_\_\_\_

14 \_\_\_\_\_

15 REASON \_\_\_\_\_

16 PAGE \_\_\_\_\_ LINE \_\_\_\_\_ CHANGE \_\_\_\_\_

17 \_\_\_\_\_

18 REASON \_\_\_\_\_

19 PAGE \_\_\_\_\_ LINE \_\_\_\_\_ CHANGE \_\_\_\_\_

20 \_\_\_\_\_

21 REASON \_\_\_\_\_

22 DocuSigned by:  
23 Donna Price 4/15/2022  
7D361DDE57004E9...

24 Donna Price Date

25

1 Curling, Donna v. Raffensperger, Brad  
2 Donna Price (#5123330)

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, Donna Price, do hereby declare that I  
5 have read the foregoing transcript, I have made any  
6 corrections, additions, or changes I deemed necessary as  
7 noted above to be appended hereto, and that the same is  
8 a true, correct and complete transcript of the testimony  
9 given by me.

10   
11 7D361DDE57004E9...

4/15/2022

12 Donna Price

Date

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**ERRATA SHEET**

Case Name: *Curling v. Raffensperger*, No. 1:17-cv-02989-AT  
 Corrections to Deposition Transcript of Donna Price  
 (March 8, 2022)

<u>Page No.</u>	<u>Line No.</u>	<u>Correction From</u>	<u>Correction To</u>	<u>Reason for Change</u>
14	5	E-vote	Diebold	Transcription error
16	4	No	No, not that I recall	Clarification
22	25	funding	finding	Transcription error
23	12	then a	then	Clarification
25	13	tagged	tabulated	Transcription error
33	17	it's	it was	Clarification
33	18	training, how to train in lobbying	training how to lobby	Clarification
35	13	not a participant	a participant	Transcription error
48	12	a voter verification	not having voter verification	Clarification
69	13	the experts	I rely on the experts	Clarification
70	2	I have my	it is my	Clarification
70	3	of that	that	Clarification
78	4	With the	Filed with the	Clarification
79	1	Lam	Lamb	Transcription error
87	25	Lam	Lamb	Transcription error
91	10	P2	PII	Transcription error



<u>Page No.</u>	<u>Line No.</u>	<u>Correction From</u>	<u>Correction To</u>	<u>Reason for Change</u>
91	25	to jump	have to jump	Clarification
92	5	would be correct	would be correct for the May 2018 primary.	Clarification
92	15	That's correct	That's incorrect. I voted on an absentee paper ballot for the midterm election.	Clarification
95	15	So I was	So I was involved in drafting and lobbying for legislation in the GA General Assembly in 2019	Clarification
95	17	(nods head up and down)	Yes, I followed House Bill 316.	Clarification
98	14	provision	commission	Transcription error
100	24	list the entire measures or other referendum support	provide full descriptive language for items on the ballot.	Clarification
101	10	being truncated	can be truncated	Clarification
101	11	the ballot, you know, records, paper records of the ballots that's	on the BMD paper printouts	Clarification
102	12-13	It's not going to print- -it's not like vague for the period of	It's not going to -- the print is not going to fade and it will last	Transcription error and Clarification
103	22	does the	the	Transcription error
107	21	counted as	counted	Clarification

<u>Page No.</u>	<u>Line No.</u>	<u>Correction From</u>	<u>Correction To</u>	<u>Reason for Change</u>
	22	accurate	accurately	Clarification
109	7	Yes, I do	Yes	Clarification
109	22	Yeah	Yes	Transcription error
112	4	the Tea	in the Tea	Transcription error
114	3	the ES&S	the Diebold/ES&S	Clarification
	9	of	the court made about	Clarification
115	14	have had	wouldn't have	Clarification
115	23	out	from	Clarification
117	22	yeah	yes	Transcription error
118	17	it	if it	Transcription error
118	21	posted	was counted for	Clarification
118	22	those elections	the primary	Clarification
118	22	it was only a couple	since that ballot didn't have the same slate of candidates as later ballot or ballots	Clarification
119	5	election	county election department	Clarification
119	9	didn't get to vote in that election.	don't know if my original choice was counted or I would get the opportunity to select from the candidates in the June runoff.	Clarification
121	23	on that one	on the ballot returned on February 21st	Clarification

<u>Page No.</u>	<u>Line No.</u>	<u>Correction From</u>	<u>Correction To</u>	<u>Reason for Change</u>
121	24	tore that one up	must have torn up the one the Secretary of State sent on 4/12	Clarification
126	22	the Georgia voting system	Georgia voting system election officials	Clarification
127	14	system voting	system I'm voting	Clarification
132	5	They were	Not in full [Holcomb & Ward]	Correction

DocuSigned by:  
  
7D361DDE57004E9...

Donna Price

4/15/2022

Date